

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF A STATEMENT OF CHARGES AGAINST

BARBARA J. SHIVAPOUR, M.D., RESPONDENT

No. 02-02-0031

STATEMENT OF CHARGES,

SETTLEMENT AGREEMENT AND FINAL ORDER

(Combined)

COMES NOW the Iowa Board of Medical Examiners (the Board), and

Barbara J. Shivapour, M.D., (Respondent), on February 23, 2005, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), file this combined Statement of Charges, Settlement Agreement and Final Order.

STATEMENT OF CHARGES

1. Respondent was issued license number 22842 to practice medicine and surgery in Iowa on February 11, 1982.
2. Respondent's Iowa medical license has been inactive since February 26, 2002.
3. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 148 and 272C.

COUNT 1

4. Respondent is charged under Iowa Code section 148.6(2) (h) (2003) and 653 IAC section 12.4(5) with "the inability to practice medicine and surgery with reasonable skill and safety by reason of illness or as a result of a mental or physical condition."

CIRCUMSTANCES

5. Respondent in the past suffered from a medical illness and self-reported that information. Respondent also made the determination to voluntarily discontinue practice. Respondent voluntarily placed her license on inactive status in 2002. There are no allegations regarding patient issues.

SETTLEMENT AGREEMENT

6. Respondent's Iowa medical license is currently in **inactive status**. Respondent shall not provide patient medical care or treatment, serve in a medical capacity with a voluntary nursing program or engage in any aspect of the practice of medicine which requires a medical license until her Iowa medical license has been reinstated by the Board.

7. Respondent may perform administrative functions, teach, provide patient education, or do medical writing.

8. Respondent may seek reinstatement of her Iowa medical license upon a motion for reinstatement and a reinstatement hearing pursuant to Iowa Code chapters 17A, 147, 148 and 272C and 653 IAC 12.40.

9. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

10. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges and waives any objections to the terms of this Settlement Agreement.

11. This combined Statement of Charges, Settlement Agreement and Final Order is voluntarily submitted by Respondent to the Board for consideration.

12. This combined Statement of Charges, Settlement Agreement and Final Order is subject to approval by the Board. If the Board fails to approve this Settlement Agreement and Final Order, it shall be of no force or effect to either party.

13. The Board's approval of this Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.

Barbara J. Shivapour, MD
Barbara J. Shivapour, M.D., Respondent

Subscribed and sworn to before me on February 18, 2005.



Kathleen Schoon
Notary Public, State of Iowa

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on February 23, 2005.

Bruce Hughes
Bruce Hughes, M.D., Chair
Iowa Board of Medical Examiners
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